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APPLICATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. CONFIRMATION NO. MPATENT.053A 3400 09/277,335 03/26/1999 DEAN A. KLEIN 7590 05/09/2003 20995 KNOBBE MARTENS OLSON & BEAR LLP EXAMINER 2040 MAIN STREET LEE, CHI CHUNG FOURTEENTH FLOOR IRVINE, CA 92614 ART UNIT PAPER NUMBER 2131 DATE MAILED: 05/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary December Chi-Chung E Lee 2131			Application No.	Applicant(s)	
## Examiner	Office Action Summary				
Chi-Chung E Lee - The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. If the MAILING DATE OF THIS COMMUNICATION. If the period for reply specified above is less than thirty (20) stays, as reply within the statutory micround brighty of the willing date of his communication. If the period for reply specified above is less than thirty (20) stays, as reply within the statutory micround brighty of the willing date of his communication. If the period for reply specified above is less than thirty (20) stays, as reply with in the statutory micround brighty of the willing date of his communication. If the period for reply specified above is less than thirty (20) stays, as reply with the statutory micround brighty of the will be considered streety. If the period for reply specified above is less than thirty (20) stays as reply with the statutory micround brighty of the will be considered streety. If the period for reply specified above is less than thirty (20) stays will be considered streety. If the period for reply specified above, the maining date of this communication, shown if timely filed, may reduce any search of the statutory reply received by the Office later than the maining date of this communication, shown if timely filed, may reduce any search of the statutory reply received by a stay of the statutory reply reply received any search of the statutory reply reply received by the statutory reply reply received by a stay of the statutory reply reply and will reply to the formal matters, prosecution as to the merits is closed in accordance with the practice under Exp area (Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4 2 Claim(s) 1-10 and 12-14 is/are pending in the application. 4 2 Claim(s) 1-10 and 12-14 is/are rejected. 7					
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THE MAILING DATE OF THIS COMMUNICATION. Edetentions of time may be valibble under the provisions of 37 CFR 1.158(a). In no event, however, may a reply be limitly filed after SX (b) MONTHS from the mailing date of this communication. It NO period for reply is specified above, the maximum statutory period within the statistory minimum of thinky (30) days will be considered timely. If NO period for reply is specified above, the maximum statutory period will apply and will explain SX (b) MONTHS from the mailing date of riss communication. Failure to reply within the set or ostended specified reply will, by statule, cause the application to become ABANDONED (38 U.S.C. § 133). Any reply recoined by the offices alter han free morini statutory period will apply and will explain SX (b) MONTHS from the mailing date of riss communication. Failure to reply willing the set by the set of the communication, even if fundly filed on 29 April 2003. Status 1) Responsive to communication(s) filed on 29 April 2003. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-10 and 12-14 is/are pending in the application. 4a) Of the above claim(s) is/are allowed. 6) Claim(s) 1-10 and 12-14 is/are rejected. 7) Claim(s) is/are allowed. 6) Claim(s) is/are allowed. 6) Claim(s) is/are allowed. 7) Claim(s) is/are allowed. 8) Claim(s) is/are allowed. 8) Claim(s) is/are allowed. 8) Claim(s) is/are allowed. 9) The procridation is objected to by the Examiner. 10) The drawing(s) filed on is/are rejected. 11) The proposed drawings or required in reply to this provide in a payling and provid					
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DETAILED ACTION

Claim Rejections - 35 USC § 112

1. Claim 2 recites the limitation "said information" in line 4. There are two antecedent bases for this limitation. One in the claim 1 line 5 and the other is in the claim 2 line 2. The examiner assumes the phrase "said information" is linked to the word "information" of the claim 2 line 2.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-10,12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Connor et al (US 5,745,568 A) in view of Computer Dictionary.

Claims 1-2 are directed to a method of storing data in a magnetic or optical storage media. The method is practiced in a computer comprises steps of retrieving, generating, and encryption without intervention by a host processor

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O'Connor is directed to a method of securing CD-ROM (i.e. optical data storage media) data for exclusive retrieval by a specified computer system designating a selected hardware configuration. The invention is relates to the field of computer system manufacturing processes.

O'Connor discloses the manufacturer builds the computer hardware and associates a hardware ID to the computer hardware (i.e. components of the personal computer); see column 5 line 49-55. The ID is permanently recorded in a non-volatile memory present in the hardware and accessible using BIOS routine; see column 3 lines 33-39. O'Connor discloses a routine for retrieving the hardware ID (i.e. retrieving the ID code form the memory) associated to the selected hardware of the computer system and using the hardware ID as an encryption key (i.e. generating a key derived from ID code), see column 2 lines 9-22. O'Connor also discloses encrypting the software program files (i.e. encrypting data) using the hardware ID as an encryption key and writing the encryption software program files to the storage medium, see column 8 lines 32-36.

O'Connor differs from the claimed invention in that it fails to disclose use of nonerasable memory for storing the hardware ID code.

As disclosed in Computer Dictionary, use either non-erasable memory or non-erasable memory, such as ROM, was known prior to applicant's filing date. Motivation to use non-erasable memory, such as ROM, to store the hardware ID would have been the ability to prevent loss of IDs during either power failure or the user intent to change it.

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As per claims 3-4, O'Connor discloses the hardware ID is permanently stored in the computer system hardware. O'Connor also discloses the verify software-hardware association step 134, see column 3 line 54 - column 4 line 16. It would have been obvious to person of ordinary skill in the art at the time invention to retrieve the hardware ID and verify the encryption key, which is derived from the hardware ID without intervention by the host processor.

Claim 5 has the same limitation as claim 1.

As per claim 6, use of a serial data bus is well known and the examiner takes official notice of such motivation to use a serial data bus to connect the memory integrated circuit to logic circuit would have been to provide a reliable effective method of transmit input data in the site of processing.

As per claims 7, 8, 10, 12, O'Connor discloses a computer system comprising a host computing logic and one data storage device (CD-ROM), a method of storing data on a CD-ROM (i.e. optical data storage media) in an encrypted form. O'Connor discloses the manufacturer builds the computer hardware and associates a hardware ID to the computer hardware (i.e. components of the personal computer); see column 5 line 49-55. The ID is permanently recorded in a non-volatile memory present in the hardware and accessible using BIOS routine (i.e. associated with host computing logic); see column 3 lines 33-39. O'Connor discloses a routine for retrieving the hardware ID (i.e. retrieving the ID code form the memory) associated to the selected hardware of the computer system and using the hardware ID as an

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encryption key (i.e. generating a key derived from ID code), see column 2 lines 9-22. O'Connor also discloses encrypting the software program files (i.e. encrypting data) using the hardware ID as an encryption key and writing the encryption software program files to the storage medium, see column 8 lines 32-36.

As per claim 9, the examiner asserts that if multiple bits were needed to store the number, then it would be obvious to make use of the necessary number of bits. Claim 9 is rejected.

As per claim 13, O'Connor discloses the hardware ID is permanently recorded in a non-volatile memory present in the hardware and accessible using BIOS routine; see column 3 lines 33-39. O'Connor discloses a routine for retrieving the hardware ID (i.e. retrieving the ID code form the memory) associated to the selected hardware of the computer system and using the hardware ID as an encryption key (i.e. generating a key derived from ID code), see column 2 lines 9-22. It would have been obvious to person of ordinary skill in the art at the time invention that the encrypting device that is positioned in a data path between the CPU and the data storage medium.

As per claim 14, O'Connor discloses encrypting each of the plurality of selected software program files using the hardware identifier as an encryption key (i.e. all data that is transmitted to the storage is encrypted); see column 10 lines 65-67.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chi-Chung E Lee whose telephone number is 703-306-4153. The examiner can normally be reached on 8 am - 5 pm, Mon. - Fri..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gail O Hayes can be reached on 703-305-9711. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Chi-Chung Lee May 2, 2003

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